REMARKS

Claims 25 - 30 have been canceled without prejudice or disclaimer of the subject matter thereof. Applicants reserve the right to purse the subject matter of the canceled claims in subsequently filed continuing applications.

Claims 1, 2, 4, 5, 9 - 18, 20, 21, 24 and 31 - 32 have been amended.

Claims 1 - 24 and 31 - 32 are present in the subject application.

In the Office Action dated November 27, 2006, the Examiner has issued a warning with respect to duplicate claims, has objected to claims 1, 4, 9, 12, 17, 20 and 31 due to informalities, has rejected claims 1, 4, 9, 12, 17, 20 and 31 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement, has rejected claims 1, 4, 6, 7, 9, 12, 14, 15, 17, 20, 22, 23 and 25 - 30 under 35 U.S.C. §102(b) or, in the alternative, under §103(a), and has rejected claims 2, 3, 5, 8, 10, 11, 13, 16, 18, 19, 21, 24, 31 and 32 under 35 U.S.C. §103(a). Favorable reconsideration of the subject application is respectfully requested in view of the following remarks.

Initially, the Examiner has issued a warning indicating that should claims 4, 12 and 20 be found allowable, claims 1, 9 and 17 will be objected to as being a substantial duplicate. Applicants respectfully disagree with the Examiner's position. Claims 4, 12 and 20 recite the additional feature relative to claims 1, 9 and 17 of defining the web-based content object by a hierarchical outline of containers and content entity identifiers. Accordingly, claims 4, 12 and 20 are not substantial duplicates of claims 1, 9 and 17 and, therefore, are considered to overcome the potential objection.

AMENDMENT
U.S. Patent Application Serial No. 09/488,976

The Examiner has objected to claims 1, 4, 9, 12, 17, 20 and 31 due to informalities. The Examiner takes the position that the terms "an Internet", "the user-provided", "the content object" and "the custom content object" should be changed to "the Internet", "the user-provided content", "the web-based content object" and "the web-based custom content object", respectively. The claims have been amended in accordance with the Examiner's suggestions and are considered to overcome the objections.

The Examiner has rejected claims 1, 4, 9, 12, 17, 20 and 31 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The Examiner takes the position that the claimed feature of transmitting the user-provided content to the data repository via an Internet is not described in the specification.

Applicants respectfully traverse the rejection. However, in order to expedite prosecution of the subject application, this feature has been removed from the claims. These claim amendments do not reflect the propriety of the Examiner's position. Accordingly, claims 1, 4, 9, 12, 17, 20 and 31 are considered to overcome the rejection.

The Examiner has rejected claims 1, 4, 6, 7, 9, 12, 14, 15, 17, 20, 22, 23 and 25 - 30 under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over the McGraw-Hill publication. This rejection is moot with respect to canceled claims 25 - 30.

Briefly, the present invention is directed toward a system, method and data storage device for creating and storing a content object in a data repository as a group of hierarchically related content entities. Each content entity is contained in a separate file object. A list or outline

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containing container and non-container identifiers defines the content, order and structure of the

content object. This list or outline is stored as a separate file object.

In order to assist in an understanding of the present invention, the present invention

features may be illustrated by the following example with respect to generation of a content

object in the form of a book. The book structure may include volumes each with one or more

chapters, where each chapter, in turn, may include one or more sections. The content of the

chapter sections resides in the data repository as individually accessible files each containing a

section (or content entity). The present invention system basically represents the book in the

form of a hierarchical outline of containers (e.g., representing volumes or chapters) and

subordinate non-containers (e.g., sections). The non-containers are each associated with content

entity identifiers indicating the files containing the content (or content entities) in the data

repository to be included within the corresponding container and book. The hierarchical outline

of containers and content entity identifiers is stored as a separate file object. A user interface

enables a user to manipulate the outline to select and alter the book content. In other words, a

user may construct and arrange the book (e.g., into volumes, chapters, sections, etc.) with content

(e.g., text, images, etc.) selected from the data repository. When the user adds, removes or

moves book content, the corresponding content entity identifier is respectively added, removed

or moved within the outline. In addition, the present invention enables a user to supply and enter

custom content for the book otherwise unavailable from the materials within the data repository.

The Examiner takes the position that the features recited in these claims are disclosed or

rendered obvious by the McGraw-Hill publication.

This rejection is respectfully traversed. However, in order to expedite prosecution of the subject application, independent claims 1, 4, 9, 12, 17 and 20 have been amended and recite the features of: each content entity identifier identifying a corresponding content entity in the data repository selected by a user for inclusion in the web-based content object and including pre-existing material; and receiving content from the user via a web user interface for inclusion in the defined web-based content object, wherein the user-provided content is custom content for the defined web-based content object that is supplied by the user and unavailable from the pre-existing material stored within the data repository.

Independent claims 4, 12 and 20 further recite the feature of each container representing an outline hierarchical tier and including at least one content entity identifier forming a subordinate outline hierarchical tier. The corresponding dependent claims have been amended for consistency with above amended independent claims 1, 4, 9, 12, 17 and 20.

The McGraw-Hill publication does not disclose, teach or suggest these features. Rather, the McGraw-Hill publication discloses a database containing a collection of modular, stand-alone text files that can be mixed, matched and arranged to create a new book for a particular course. A user may select various portions of existing books to add to the new book being created (e.g., Screenshot II reproduced and cited by the Examiner in the Office Action). The existing books are displayed in a table of contents type format and enable selection of portions for viewing and/or addition to the new book (e.g., Screenshot II reproduced and cited by the Examiner in the Office Action). A user may view the contents of the new book. The contents are displayed, where a user may arrange or reorder the displayed portions to arrange the new book (e.g., Screenshot III reproduced and cited by the Examiner in the Office Action).

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Thus, the screenshots cited by the Examiner indicate the content from the database selected by the user for the new book. There is no disclosure, teaching or suggestion of receiving custom content from the user for inclusion in the book that is unavailable from the database or, for that matter, assigning an identifier to the custom content, storing the content and identifier in the database and adding the identifier to the list or hierarchical outline as recited in independent claims 1, 4, 9, 12, 17 and 20. In other words, the claims recite enabling a user to provide their own custom content for the content object that is basically not within or offered for selection from the data repository (e.g., otherwise unavailable through the system).

In addition, the McGraw-Hill publication further discloses that the contents of the new book are displayed with each selected portion indicated by their title and the title of the book and/or chapter from which they were selected, where a user may arrange or reorder the displayed portions to arrange the new book (e.g., Screenshot III reproduced and cited by the Examiner in the Office Action). However, these just indicate the origin of the selected portions (e.g., the chapter and book from which the portion is selected) and do not provide a hierarchical arrangement for the new book. In fact, the selected portions themselves define the content of the new book and are arranged as a list. Thus, a user can arrange the selected portion order, but there is no disclosure, teaching or suggestion of portion identifiers being arranged into hierarchical tiers and subordinate tiers to define the content object as recited in independent claims 4, 12 and 20.

Since the McGraw-Hill publication does not disclose, teach or suggest the features recited within independent claims 1, 4, 9, 12, 17 and 20 as discussed above, these claims are considered to be in condition for allowance.

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Dependent claims 6, 7, 14, 15, 22, 23 and 32 depend, either directly or indirectly, from independent claims 1, 4, 12, or 20 and, therefore, include all the limitations of their parent claims. These dependent claims are considered to be in condition for allowance for substantially the same reasons discussed above in relation to their parent claims and for further limitations recited in the dependent claims.

The Examiner has rejected claims 2, 3, 5, 8, 10, 11, 13, 16, 18, 19, 21 and 24 under 35 U.S.C. §103(a) as being unpatentable over the McGraw-Hill publication in view of U.S. Patent No. 6,073,148 (Rowe et al.).

The Examiner takes the position that the McGraw-Hill publication discloses the claimed subject matter, except for receiving a user-provided location for inserting the identifier of the user-provided content into the content object, and inserting the identifier into the list at that location. The Examiner further alleges that the Rowe et al. patent teaches this feature and that it would have been obvious to combine the Rowe et al. patent with the McGraw-Hill publication to attain the claimed invention.

This rejection is respectfully traversed. Initially, claims 2, 3, 5, 8, 10, 11, 13, 16, 18, 19, 21 and 24 depend, either directly or indirectly, from independent claims 1, 4, 9, 12, 17 or 20 and, therefore, include all the limitations of their parent claims. As discussed above, the McGraw-Hill publication does not disclose, teach or suggest the features of: each content entity identifier identifying a corresponding content entity in the data repository selected by a user for inclusion in the web-based content object and including pre-existing material; and receiving content from the user via a web user interface for inclusion in the defined web-based content object, wherein the user-provided content is custom content for the defined web-based content object that is

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supplied by the user and unavailable from the pre-existing material stored within the data repository as recited in the claims.

The Rowe et al. patent does not compensate for the deficiencies of the McGraw-Hill publication. Rather, the Rowe et al. patent discloses a method and apparatus for providing an optimized page-based electronic document file and downloading the optimized file, and is merely utilized by the Examiner for an alleged teaching of creating a list of objects and shared objects to organize and place objects in a file in the same order.

Since the McGraw-Hill publication and Rowe et al. patent do not disclose, teach or suggest, either alone or in combination, the features recited in claims 2, 3, 5, 8, 10, 11, 13, 16, 18, 19, 21 and 24 as discussed above, these claims are considered to be in condition for allowance.

The Examiner has rejected claims 31 and 32 under 35 U.S.C. §103(a) as being unpatentable over the McGraw-Hill publication in view of U.S. Patent No. 6,886,036 (Santamaki et al.).

The Examiner takes the position that the McGraw-Hill publication discloses the claimed subject matter, except for a library server. The Examiner further alleges that the Santamaki et al. patent teaches this feature and that it would have been obvious to combine the Santamaki et al. patent with the McGraw-Hill publication to attain the claimed invention.

This rejection is respectfully traversed. However, in order to expedite prosecution of the subject application, independent claim 31 has been amended and recites the features of: each content entity identifier identifying a corresponding content entity in the digital library selected by a user for inclusion in the web-based custom content object and including pre-existing
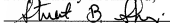
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material; and receiving content from the user via a web user interface for inclusion in the defined web-based custom content object, wherein the user-provided content is custom content for the defined web-based custom content object that is supplied by the user and unavailable from the pre-existing material stored within the data repository. Dependent claim 32 has been amended to depend from independent claim 1 and is considered to be in condition for allowance as discussed above.

These features are not disclosed, taught or suggested by the McGraw-Hill publication as discussed above. Further, the Santamaki et al. patent does not compensate for the deficiencies of the McGraw-Hill publication. Rather, the Santamaki et al. patent is directed toward an electronic book system for advancing distribution of reading materials and is merely utilized by the Examiner for an alleged teaching of centralized and e-book servers allegedly corresponding to the claimed library server.

Since the McGraw-Hill publication and Santamaki et al. patent do not disclose, teach or suggest, either alone or in combination, the features recited in claim 31 as discussed above, this claim is considered to be in condition for allowance.

The application, having been shown to overcome issues raised in the Office Action, is considered to be in condition for allowance and Notice of Allowance is earnestly solicited.

Respectfully submitted,

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